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NASA
National Aeronautics and
Space Administration

George C. Marshall Space Flight Center
Marshall Space Flight Center, Alabama 35812

|Issuance Number: MMI 2210.3E |Date: Oct. 7, 1993 |

1.   Management Instruction, MMI 2210.3E, Subject: "Control and Release of Limited-Rights Technical Data"

2.   This MMI has been revised to:

        a. Update the terminology.

        b. Update titles of references.

        c. Make minor editorial changes and clarifications.

Filing Instructions:

Remove MMI 2210.3D and replace with the attached MMI 2210.3E.

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Originating Organization:	Effective Date:	MMI:
CO01	October 7, 1993	2210.3E

Subject: CONTROL AND RELEASE OF LIMITED-RIGHTS TECHNICAL DATA

*1. PURPOSE

To establish Center policy for the protection of limited-rights technical data in the Government's possession.

 2. APPLICABILITY

This Instruction is applicable to all MSFC organizational elements regardless of location. However, this regulation does not cover data normally retained in official contract files which shall be controlled in accordance with current procurement regulatory requirements.

*3. SCOPE

All limited-rights technical data delivered to the Center, excluding data normally retained in official contract files and excluding restricted computer software and documentation covered under MMI 2410.6, are within the scope of this Instruction.

*4. REFERENCES (Only applicable parts of most recent edition apply.)

a. FAR Subpart 27.4, "Rights in Data and Copyrights"

b. NASA/FAR Supplement, Subpart 18-27.4, "Rights in Data and Copyrights"

c. MMI 2210.1, "Documentation Input and Output of the MSFC Documentation Repository"

d. MMI 2410.6, "Protection and Control of Restricted Computer Software"

*5. POLICY

Limited-rights technical data delivered by contractors will be protected and released only to the extent permitted by the contract or when a written opinion of the Intellectual Property Counsel states that the data is releasable.

*Changed by this revision.
MSFC-Form 2911 (Rev.October 1981)   (COMPUTER GENERATED OCTOBER 1992)

*6.   DEFINITION

Limited-rights technical data is data of a scientific or technical nature which is developed at private expense and embodies trade secrets or is confidential or privileged. Such data is commonly referred to as proprietary data and has restricted legends limiting disclosure and use.

7.   RESPONSIBILITIES & PROCEDURES

a.   The Documentation Repository as the custodian of contractor-delivered limited-rights technical data will:

*(1)   Upon receipt of identified limited-rights technical   data, inform the cognizant program/project office that such data has been received.

(2) Protect and store the limited-rights technical data.

b.   The appropriate program/project office will:

*(1)   Normally determine the minimum Government needs for use and dissemination of limited-rights technical data before such data is acquired. Should the actual needs exceed the rights obtained in the contractor delivered limited-rights technical data, the program/project manager shall instruct the Contracting Officer to negotiate with the contractor for the necessary rights of use and disclosure.

(2)   Release limited-rights technical data to other contractors only as permitted by the contract and   ensure the receiving contractor has agreed to the necessary limitations on use and disclosure.

*c.   The Intellectual Property Counsel will:

(1)   Assist the program/project office in reviewing data designated as limited-rights technical data by the contractor to ascertain if the data is, in fact, limited-rights technical data.

(2)   Provide the program/project office with a written opinion as to whether the limited-rights technical data is releasable to non-Government recipients.

*8.   CANCELLATION

MMI 2210.3D dated July 29, 1987

(Orig s/by)
T. J. Lee
Director

Distribution:
SDL 2

*Changed by this revision.